

WSDOT Title VI Update and Accomplishment Report – FY 03

I. Policy Statement

WSDOT's Title VI Compliance Policy remained unchanged after Secretary Doug McDonald signed the last submitted version of the same on November 7, 2001. WSDOT remains committed to a federal-aid highway program free from all forms of discrimination. The Department is also making efforts to ensure its subrecipients of FHWA funds are in compliance with the nondiscrimination provisions of 49 CFR 21 and 23 CFR 200.

WSDOT expects to revise its Title VI Plan for the FY04 submittal of its Annual Title VI Update and Accomplishment Report. The revised document will include the Department's policy statement signed by the Secretary of Transportation.

II. Organization and Staffing

A. Organization

The administrative structure of WSDOT's Title VI Program remains as described in previous Update Report submittals. There were, however, three new appointments for the duties of Title VI Liaison for Research, Right of Way and Highway and Local Programs. Please refer to the table below for the names and job titles of the new Title VI Liaisons.

Staffing

Title VI Special Emphasis Programs Area Liaisons

Name	Title	Program
Steve Chestnut	Hearing Coordinator	Design/Location
David Supensky	Training Supervisor	Training
Ralph Wilhelmi	Regional Coordination Team Leader	Planning
Tom Hanson	Research Project Manager	Research
Shirley Hughes	Appraisal Manager (acting)	Right of Way
Ernest W. Combs	NEPA Specialist	Environmental Affairs
Karlene Loran	Contract Specialist	Consultant Contracts
David Mounts	Construction	Construction / Maintenance
Greg Kolle	Operations	Highway and Local Programs

III. Title VI Monitoring and Review Process

MPO and RTPO Title VI Compliance

In the FY02 submittal of this report WSDOT informed FHWA about its efforts to survey the level of Title VI compliance among all the planning organizations receiving federal funds from the Department. The survey, which was conducted in October 2001, showed that our Metropolitan Planning Organizations (MPO) and the Regional Transportation Planning Organizations (RTPO) across the state did not have a profound understanding of their Title VI responsibilities nor could they demonstrate that they had a Title VI Program in place.

The results of the survey prompted the coordination of Title VI Program Implementation Training sessions across the state between August 7, 2002 and October 17, 2002. The Department's Title VI Coordinator was the presenter in all four sessions taking place during the aforementioned timeframe. After the training sessions OEO started receiving draft Title VI Plans and Nondiscrimination Agreements from planning organizations for WSDOT's approval.

By March 2003, OEO had approved Title VI compliance documents from all MPOs and RTPOs under agreement with WSDOT. That represents 100% compliance among all planning organizations large enough to operate in one Washington state urban area as defined by federal regulations. The planning organizations listed below received WSDOT's approval to their Title VI compliance documents during the reporting period. They are all reporting federal highway-related Title VI compliance activities in their Annual Title VI Update and Accomplishment Report, FY03. WSDOT is in the process of receiving and reviewing the aforementioned compliance information for approval.

Washington State MPOs and RTPOs

Spokane Regional Transportation Council (SRTC)

North East Washington Regional Transportation Planning Organization (NEW RTPO)

Palouse Regional Transportation Planning Organization (Palouse)

Benton Franklin Council of Governments (Benton Franklin)

Southwest Regional Transportation Council (RTC)

Wenatchee Valley Transportation Council (WVTC)

Yakima Valley Council of Governments (YVCOG)

Whatcom Council of Governments (WCOG)

Puget Sound Regional Transportation Council (PSRC)

Cowlitz-Wahkiakum Council of Governments (CWCOG)

Thurston Regional Planning Council (TRPC)

Local Agencies Title VI Compliance

During the reporting period, OEO drafted and presented to the Local Agencies Guidelines (LAG) Committee a chapter on Title VI compliance for their review and approval for its incorporation in WSDOT's LAG Manual. The LAG Manual is the document that provides guidance to local agencies on matters of policy and procedures for highway construction. The Title VI chapter was developed as an effort to provide uniform guidance to local agencies in the area of Title VI compliance from a policy and program development/implementation perspective.

On August 22, 2003, the LAG Committee notified Highway and Local Programs (H&LP) Division and then OEO, that the proposed Title VI chapter was not recommended for its incorporation to the LAG Manual for the September 2003 revision period. The committee members were not clear as to the differences between the Title VI Program requirements and those under the DBE and EEO programs already incorporated in the LAG Manual. The LAG Committee decided to defer the incorporation of a Title VI Chapter to the LAG Manual until further discussion takes place. As an update to this issue, OEO had a meeting with representatives from H&LP on October 6, 2003. Both offices agreed, among other things, to update the nondiscrimination agreement's qualifying threshold from 50,000 to 100,000 population and to report such change in this report. There will be revisions to the Title VI Chapter early in the next calendar year before it is submitted to the LAG Committee for their review and incorporation to the LAG Manual in the next revised edition of the same.

Statewide Title VI Coordinators Meetings

On December 4, 2002 and June 5, 2003, OEO organized two Statewide Title VI Coordinators Meetings. The meeting in December took place in WSDOT's Eastern Region, Spokane. The Title VI Coordinators from Spokane City, Spokane County, Spokane Regional Transportation Council and WSDOT was present. Jim Medina, External Civil Rights Manager also attended the meeting. The Title VI Coordinators from King County, Pierce County, Clark County, City of Seattle and the Puget Sound Regional Council (PSRC) participated via telephone. Among the issues discussed, WSDOT gave the group an update on EJ related activities, such as the Department's EJ White Paper, projects with potential EJ issues and the involvement of the Title VI Coordinator in the analysis of Title VI/EJ compliance analysis for the Environmental Impact Statements (EIS). Also, discussed was the timely preparation of local agencies' Title VI Update Reports for WSDOT's approval and an update on the Title VI Chapter for the LAG Manual and Limited English Proficiency (LEP) requirements. Several local agencies' Title VI Coordinators shared information regarding Title VI Training sessions they have conducted, revisions to their Title VI Plans (for WSDOT's approval), strategies for gathering information on public meetings attendees, and coordination of information from their program areas for their Title VI Update Report.

The Title VI Coordinator's meeting in June 2003 took place in the offices of the Puget Sound Regional Council in Seattle. Title VI Program Coordinators from King County, City of Tacoma, Spokane Regional Transportation Council (SRTC) and the Puget Sound Regional Council (PSRC) attended the meeting. The Coordinators from Clark County, City of Spokane and Spokane County participated in the discussions via telephone. City of Seattle was not represented in this meeting. Ms. Bailey DeLongh, Civil Rights Manager, King County, served as the facilitator during the session. Every coordinator shared Title VI compliance information from their respective agencies. WSDOT provided information on the status of the Title VI Chapter to the LAG Manual, issues of Limited English Proficiency (LEP), recent EJ complaints, WSDOT's Title VI brochure and the revised External Complaint Procedures.

The meetings proved to be an effective tool for Title VI program information sharing and development of partnership for program related tasks and activities. The next meeting has been scheduled for December 12, 2003, at Clark County's Offices in Vancouver, WA.

Internal Title VI Program Discussions

WSDOT's Title VI Coordinator met with the Special Emphasis Program Area Title VI Liaisons for Research, Right of Way, Planning, Education and Training and Construction to discuss Title VI compliance in their respective program areas as well as their responses to the Department's Title VI Update Report. Additionally, telephone discussions took place with the liaisons from Consultant Services and Design/Location during the current reporting period. They all agreed that there is a need for a revised version of the Title VI Update Questionnaire as the questions in some of the program areas are either not clear or outdated. The Liaisons offered to provide input during the proposed revision of the aforementioned questionnaire. They also identified the need for training on how to effectively respond to Title VI Update Questionnaire once the revisions are done. It is noted that the Title VI Liaisons find useful the face-to-face discussions with the Title VI Coordinator, promoting a better partnership for effective Title VI compliance monitoring and program information exchange. WSDOT will initiate quarterly meetings with Headquarter's Title VI Liaisons to work in the revisions for the Title VI Update questionnaire and to ensure they understand the reporting elements for each program area they represent. OEO will continue these meetings and will also look into developing Title VI training opportunities for WSDOT's Title VI Liaisons during the upcoming reporting period. OEO is in the process of meeting with WSF officials to initiate a more coordinated effort in the area of Title VI compliance monitoring and reporting. The meeting will be scheduled before the end of the current calendar year.

Limited English Proficiency

On September 19, 2003, OEO sent out a survey to measure the level of Title VI/LEP compliance the Department has while communicating program information to members of the public across the state. Public Information Officers and other communication agents responded to the survey describing the process they follow to address issues of Limited English Proficiency (LEP) when inviting ethnic community members to public consultation forums. For instance some regions contact ethnic community based organizations to do outreach for non-English speaking communities, others contact minority leaders and/or use minority media and other forms of communication to communicate project information to LEP populations.

The results of the survey clearly showed that there is no consistency in the practices used to address LEP issues and that the two most active regions in highway construction (Northwest and Olympic) have the most proactive LEP process among all of WSDOT's regions.

On October 20, 2003, the Title VI Coordinator and Jim Medina, External Civil Rights Manager, met with Linda Mullen, WSDOT Communications Director, to explore partnering in the process OEO will initiate to implement the provisions of Executive Order 13166 on Limited English Proficiency (LEP). The process involves the development of an LEP Implementation Plan once the Department completes the Four Step Process for the analysis of the WSDOT's communication process in areas that are populated by LEP communities.

Ms. Mullen suggested the inclusion of WSDOT's Transportation Planning Office (TPO) and the Environmental Services Office (ESO) as part of the work group addressing LEP compliance within the Department.

The process of organizing a WSDOT LEP Workgroup will take place at the beginning of the upcoming calendar year. OEO will assume a leading role in this process, which will include the Communications, Transportation Planning and Environmental Services Offices, the Washington

State Ferries and perhaps other partners. OEO expects to complete the LEP Implementation Plan by late spring or early summer 2004.

Title VI Brochure

On August 4, 2003, OEO developed the Department's Title VI brochure. The brochure educates transportation partners and members of the public on Title VI of the Civil Rights Act of 1964 and EO 12898 on Environmental Justice and how the law and Executive Order impact federal-aid highway programs and activities. Additionally, the brochure explains the rights of a potential complainant and explains how to proceed with the filing of a Title VI complaint and whom to contact for information.

On August 6, 2003, OEO disseminated its Title VI brochure via internet (electronic version) through the Title VI Coordinators' list for local agencies and hardcopies across the state. The hardcopies have been disseminated internally and externally through the Human Resource Consultants in the state and ECRB staff attending public forums such as job fairs, conferences and other public events. Please see *Attachment 1*.

Environmental Justice

The Title VI Coordinator participated in the Environmental Justice workgroup tasked to revise Section 458 of WSDOT's Environmental Procedures Manual dedicated to Environmental Justice's compliance. The group successfully completed the revisions of the document, which now provides more comprehensive information and tools to properly address EJ compliance during the environmental process for WSDOT's federal-aid projects. Please see *Attachment 2*.

External Complaint Procedures

On June 10, 2003, the Title VI Coordinator transmitted, via electronic mail, WSDOT's revised External Complaint Procedures to the FHWA Division Civil Rights Program Manager for review and approval. Subsequently, the Program Manager indicated during a telephone conversation with the Title VI Coordinator that she had some recommendations to improve the document. The comments have not been received by WSDOT and the procedures remain without FHWA's approval. WSDOT looks forward to FHWA approval of its External Complaint Procedures to initiate the implementation of the same.

WSF Food Service Nondiscrimination Contract Language

WSF revised and published the newly revised Food, Beverage and Concession contract language with the USDOT 1050.2 incorporated as its nondiscrimination language. This came about as a result of a Title VI complaint against an employee of a food services contractor by a member of the public. After the complaint was addressed it was apparent that the food services contractors are not aware of their nondiscrimination contractual responsibilities under Title VI.

OEO is currently looking into providing Title VI compliance training to WSF food services contractors in coordination with WSF appointing authority. Training session may begin as soon as spring 2004. Please see *Attachment 3*.

A. Title VI Training Sessions

On November 7, 2002, Willie Harris, FHWA, conducted a Title VI Training session for WSDOT staff and civil rights and contract compliance officers from local agencies. The training covered program requirements for state and local agencies, complaint investigation and compliance monitoring and reporting to FHWA. Please see *Attachment 4*.

B. Sub-recipients, Cities, and Counties

Cities:

Seattle

On February 11, 2003, WSDOT approved City of Seattle's Title VI Update Report, FY02.

The City of Seattle presented their Title VI Update Report for FY03 on October 2, 2003 via fax followed by a hard copy received on October 24, 2003. WSDOT will review the Update Report for approval by November 21, 2003.

Copies of the final document from City of Seattle and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Tacoma

City of Tacoma presented its Title VI Update Report, FY02 on January 14, 2003. On February 28, 2003 WSDOT approved the document.

The City presented its FY03 Title VI Update Report on October 16, 2003. WSDOT will complete its review of the document by November 28, 2003.

Copies of the final document from City of Tacoma and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Spokane

On November 22, 2002, City of Spokane submitted its FY02 Title VI Update Report for WSDOT's approval. The document was approved on January 31, 2003.

The City of Spokane presented its Title VI Update Report, FY03 for WSDOT's approval on November 4, 2003. The document will be reviewed for approval by November 28, 2003.

Copies of the final document from City of Spokane and WSDOT letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Counties:

Pierce

On December 30, 2002, WSDOT received Pierce County's Title VI Update Report for FY02, which was approved by the Department on February 4, 2003.

Pierce County submitted its Title VI Update Report for FY03 on September 30, 2003. WSDOT is currently completing the review of the document for approval. WSDOT expects to complete the review of the County's Update Report by November 10, 2003.

Copies of the final document from Pierce County and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

King

King County presented a revised version of its November 2, 2002 Title VI Update Report, FY02 on January 30, 2003. WSDOT approved the document on February 11, 2003.

The County submitted its Update Report for FY03 on September 26, 2003. The document was reviewed and commented on by WSDOT on October 24, 2003.

On November 7, 2003, King County revised its document per WSDOT's comments. WSDOT will review the document for approval by November 28, 2003.

Copies of the final document from King County and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Clark

On November 18, 2002, WSDOT received Clark County's Title VI Update Report for FY02. WSDOT approved the FY02 document on January 16, 2003.

Clark County presented its Update Report for FY03 on October 30, 2003. WSDOT expects to complete the review of the document by November 21, 2003.

Copies of the final document from Clark County and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Spokane

On April 14, 2003, Spokane County presented its last set of revisions to its Title VI Plan for approval. Technical discussions regarding Title VI requirements for local agencies ensued and on October 10, 2003, those issues were resolved. WSDOT expects to complete the process of approving the County's Title VI Plan before December 31, 2003.

Copies of the final document from Spokane County and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

MPO/RTPO

Spokane Regional Transportation Council (SRTC)

SRTC received approval to its Title VI Update Report FY02 on February 4, 2003.

On October 17, 2003, SRTC presented WSDOT with its FY03 Update Report. WSDOT is in the process of completing the review of the document for approval. We expect to complete that process on November 10, 2003.

Copies of the final document from SRTC and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Puget Sound Regional Council (PSRC)

On November 3, 2003, PSRC e-mailed WSDOT a copy of its Title VI Update Report for FY03 and its revised Title VI Plan. WSDOT expects to review the information for approval by November 24, 2003.

Copies of the final documents from PSRC and WSDOT letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

North East Washington Regional Transportation Planning Organization (NEW RTPO)

NEW RTPO received WSDOT's approval to its Nondiscrimination Agreement on February 19, 2003.

NEWRTPO has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted NEWRTPO and asked them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from NEWRTPO and WSDOT's letter of approval

will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Palouse RTPO

Palouse received WSDOT's approval to its Title VI Nondiscrimination Agreement on March 24, 2003.

Palouse has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted Palouse to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from Palouse and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Benton-Franklin

Benton Franklin received WSDOT's approval to its Title VI Plan document on March 31, 2003.

Benton Franklin has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted Benton Franklin to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from Benton Franklin and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Southwest Regional Transportation Council (RTC)

RTC received WSDOT's approval to its Title VI Plan on January 22, 2003.

RTC has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted RTC to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from RTC and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Yakima Valley Council of Governments (YVCOG)

YVCOG received WSDOT's approval to its Title VI Plan on February 28, 2003.

YVCOG has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted YVCOG to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from YVCOG and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Whatcom Council of Governments (WCOG)

WCOG received WSDOT's approval to its Title VI Plan on February 21, 2003.

WCOG has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted WCOG to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from WCOG and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Wenatchee Valley Transportation Council (WVTC)

WVTC received WSDOT's approval to its Title VI Plan on March 27, 2003.

WVTC has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted WVTC to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from WVTC and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Cowlitz-Wahkiakum Council of Governments (CWCOG)

CWCOG received WSDOT's approval to its Title VI Plan on March 27, 2003.

CWCOG has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted CWCOG to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from CWCOG and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

Thurston Regional Planning Council

TRPC received WSDOT's approval to its Title VI Plan on July 1, 2003.

TRPC has yet to submit its first Title VI Update Report for FY03. The document is currently overdue. WSDOT has contacted TRPC to ask them to presents its Update Report, FY03 before December 1, 2003.

Copies of the final document from TRPC and WSDOT's letter of approval will be forwarded to FHWA Division office once the Title VI Update Report process for this subrecipient is completed.

C. Consultants

During the reporting period WSDOT concentrated its time and resources to address Title VI compliance within its Metropolitan and Regional Planning Organizations exclusively. There are no activities or accomplishments related to consultant contractors' Title VI compliance efforts to report at this time.

IV. Complaints

Rosemere Neighborhood Association

On April 9, 2003, the Rosemere Neighborhood Association (RNA) filed a complaint alleging disproportionate adverse impact against their predominantly minority and low income residents caused by the conceptual design of the proposed I-5 Corridor Improvements Project managed by WSDOT and the Oregon Department of Transportation (ODOT). RNA alleged that the design of the proposed project involves major displacements in their neighborhood, particularly "K" street, causing the type of high and disproportionate adverse environmental impact prohibited by Title VI of the Civil Rights Act of 1964 and EO 12898 on Environmental Justice.

The Title VI Coordinator and the Planning Manager at WSDOT's Southwest Region in Vancouver, WA addressed RNA's issue internally. According to the information obtained by the Title VI Coordinator, the proposed complained-of project is in its very early stages of conception meaning that no final decision on the actual design has been made at this time. It was also found that the Environmental Impact Statement (EIS) stage of the highway construction process had not started for the project in question. It is during the EIS process that members of the impacted community, such as RNA, receive opportunities to provide input during the public consultation process associated with the project. According to project records reviewed, RNA is part of the roster of organizations invited to become part of the public consultation process.

In a communication dated June 4, 2003, WSDOT informed Mr. Dvija Bertish, Chairman, RNA, that the informal process conducted to address RNA's allegations demonstrated that it was too early in the project development process to claim a violation of Title VI or EO 12898. In other words, the complained-of design for the proposed project was a conceptual; preliminary one and subject to modifications resulting from the upcoming EIS public involvement process. Mr. Bertish was advised to keep RNA involved in the public consultation process and to provide input on the project. WSDOT's OEO will monitor the EIS process for this project to ensure opportunities for meaningful public participation are offered to all impacted communities including the Rosemere neighborhood.

Shauna de Marquez

Ms. Shauna de Marquez alleged that on May 23, 2003, she and her husband were on WSF's Yakima vessel when her husband, a person with Limited English Proficiency, tried to order food from the vessel's food service provider (cafeteria). Ms. de Marquez alleged that a female

employee in the cafeteria refused to provide service to Mr. de Marquez stating that she could not understand him due to language barriers.

The allegations were addressed under the provisions of Title VI, particularly, the LEP aspect of the law (EO13166). The complaint was discussed and resolved at the lowest level possible. As a result of this complaint the respondent identified and admonished the female employee in question and sent a letter to Ms. de Marquez describing the remedial actions they took and apologizing for their employee's behavior.

Additionally, the Title VI Coordinator recommended the Contract and Legal Services Manager for WSF revise their contracts for food service vendors to ensure the inclusion of appropriate nondiscrimination language. The aforementioned information was incorporated in the referenced contracts on August 28, 2003. Please see attached copy.

In addition, Title VI training for WSF contractors is being considered for the upcoming calendar year 2004. These remedial actions were related to Ms. de Marquez in a conversation on August 28, 2003. She felt the actions taken by WSDOT/WSF were sufficient remedial action for her, considering the issue resolved.

Johnny Cheng, C.L.

On December 12, 2002, Mr. Johnny Cheng, a ferry passenger of Chinese descent, was approached by a WSF officer who was suspicious about his picture taking while riding one of the vessels. Mr. Cheng was allegedly taking pictures of parts of the vessel and even entered a restricted area, which caused WSF crewmembers to be nervous about it due to the possibility of a terrorist act being planned against the ferries. Mr. Cheng is a fine arts photographer who likes to take unique pictures of structures and that day he chose the vessel he was riding as his theme.

The WSF officer addressed Mr. Cheng about his "suspicious picture taking" through a Caucasian member of his party. Mr. Cheng learned about the WSF officer's concerns from his Caucasian friend, which upset him. Mr. Cheng wrote a letter complaining about the way WSF handled their concerns regarding his picture taking and for not addressing him directly, assuming he could not understand English based on his Asian appearance. He felt he was treated differently because of his race and wanted WSF appointing authority to take action to prevent this type of incident from happening again to him or any other minority passenger.

The issue was referred to OEO at WSF and then to the Title VI Coordinator in Headquarters. The OEO analyzed the allegations and decided to approach the resolution of the allegations informally. A letter of apology was prepared by WSF's Operations Director and sent to Mr. Cheng's address. In a subsequent telephone conversation with the Title VI Coordinator, Mr. Cheng expressed his appreciation for the letter of apology. Mr. Cheng sent another letter to WSF accepting the apology in resolution to his complaint.

Genie Service Company, Inc.

On July 1, 2003, Mr. Dan Carter, owner of Genie Service Company, Inc., filed a Title VI complaint with WSDOT. Mr. Carter alleged that members of the Northwest Motor Coach Association (NMA), an all-white organization, doesn't want him, a black non-member, to gain competitive strength against their members, in particular, their president's company. He stated

that the NMA has served as part of the grant review process for WSDOT and that he was rated low in his 2003-2005 grant application because NMA's president is his primary competitor. Mr. Carter further alleged that two other members of NMA had applications funded while his company's application was not considered.

On July 11, 2003, OEO sent Mr. Carter a letter accepting his complaint and advising him that WSDOT was to conduct an administrative inquiry to resolve his allegations at the lowest level possible. He was further advised that if WSDOT was unable to resolve the issue at its level, the matter was to be referred to FTA for a formal investigation.

In an effort to resolve this complaint, WSDOT's Public Transportation and Commute Options Office has offered to remove the Northwest Motor Coach Association from its grant review process. OEO has not shared WSDOT's proposal for resolution with Mr. Carter pending clarification from the Federal Transit Administration (FTA) on questions regarding the statute of limitations for this case and the "no self-investigation" doctrine FHWA shared with us last year. WSDOT expects to receive technical guidance from FTA and bring this case to resolution by November 28, 2003.

V. Special Emphasis Program Area Accomplishments

A. Planning

- 1. Were there any studies conducted which provided data relative to minority persons, neighborhoods, income levels, physical environments, and travel habits? If so, what type of assistance was provided by those individuals responsible for Title VI to ensure that Title VI considerations were included in the planning stage?**

There were no studies specifically to develop Title VI data during this federal fiscal year. The ongoing effort between Environmental Affairs Office and the Transportation Planning Office to develop a Geological Information Service (GIS) analysis tool will continue as funding and staffing resources allow. The Planning Office has identified \$50,000 for this purpose in the current state fiscal biennium. GIS is used as a tool to map out populations in specific project areas by ethnicity and income (EJ). These studies are project specific and they are required to use the most current set of demographic data available. GIS is also expected to assist WSDOT in mapping out communities by language so the Department can provide accommodation to language needs from Limited English Proficiency (LEP) communities being impacted by WSDOT activities.

The Southwest Region is a participant in the Portland-Vancouver I-5 Trade and Transportation Partnership. The partnership has set up an Environmental Justice Work Group to ensure that input from an environmental justice perspective is available in planning for all projects in the study area.

- 2. Number of hearings held during the reporting period. What efforts were utilized to ensure citizen participation in the hearings, particularly minorities and women? Were minorities and women, both individually and through their organizations, represented in the citizen participation effort? How many and in what capacity?**

There were only 5 public hearings associated with planning activities during the reporting period. The hearings were properly advertised to reach out to all members of the impacted communities, including minority and low-income populations. Some of the methods used by the Transportation Planning Office and Region Planning Offices to encourage citizen participation in public hearings include:

a. Activities and measures to encourage public involvement:

- Public Hearings / Public Meetings/Open Houses / Listening Posts
- Press Releases / Public Service Announcements
- Newspaper advertisements (in large and small circulation papers and ethnic newspapers)
- Presentations to Neighborhood / Community / Business Associations
- Flyers / Posters / Brochures / Newsletters
- Display Booths at County, Regional and State Fairs
- Stakeholder Meetings
- Web Pages / Email
- Radio call in shows
- Traveling displays at libraries / malls / community centers
- Toll free phone line for comments
- Presentations to Policy Boards and Technical Advisory Committees

The Title VI form for gathering of statistical data on meeting attendees was used in our public meetings. The information gathered through this forms is insufficient to determine level of participation by Title VI protected groups, as many members of the public have expressed discomfort with this process. They consider it an invasion of privacy by a governmental entity. WSDOT is currently exploring other options to collect the required statistical data on meeting attendees to ensure meaningful participation of impacted minority and low income populations in the Department's public consultation process.

- b. Different geographic sites: The various Regional Planning offices sought feedback in over 50 different geographic sites ranging from Metropolitan areas like Seattle, Spokane, Tacoma and Vancouver to towns like White Salmon, Union Gap, and Port Angeles and places like the Waitsburg and Fox Island.
- c. Devices to target different ethnic groups: Newspaper advertisements and flyers in several different languages appropriate to the area such as: Spanish, Russian, Chinese, Vietnamese, and Laotian.

Office	Total Staff	Male	Female	White/ Caucasian	Asian/ Pacific Islander	Native American	Black/ African American	Hispanic
Regional Coordination and Policy Development	9	5	4	8	0	1	0	0
Systems Analysis and Program Development	18	12	6	15	2	0	0	1
Urban Planning Office	16	11	5	13	2	0	1	0
Eastern Region	8	7	1	7	0	1	0	0
Mt. Baker Area (NW Region)	5	5	0	5	0	0	0	0
North Central Region	6	5	1	6	0	0	0	0
Olympic Region	20	10	10	18	2	0	0	0
South Central Region	10	7	3	9	1	0	0	0
Southwest Region	5	3	2	5	0	0	0	0
Total for WSDOT Planning	97	65	32	86	7	2	1	1

B. Research

1. How many research projects are currently underway?

There are 64 projects currently underway in fiscal year 2003, all of which are partially or wholly federally funded.

2. List universities and/or consultants currently conducting research projects and number of contracts for each one.

a) Universities

- University of Washington (UW) (44)
- Washington State University (WSU) (8)
- University of California – Berkeley (1)
- Saint Martin's College (1)
- University of Arizona (1)
- University of Alabama (1)

On October 1, 2002 the WSDOT Research Office had contracts underway with the following colleges and universities:

St Martins	\$77,370
Univ. of Nevada - Las Vegas	\$75,000
WSU	\$1,903,500
U of W	\$1,587,200

New start research projects (total accumulated value of contracts) with Universities that fell between Oct 1, 2002 and Sept 30, 2003

University of Arizona	\$75,000
University of Washington	\$997,000
Washington State University	\$345,000

- b) Consultants
 - MGS Consultants (1)
 - Battelle NW (2)
 - Massmann Consultants (1)
 - EBL Consulting (1)
 - Larry Frank and Company (1)
- c) Federal
 - US Department of Energy – Pacific NW Laboratories (1)
- d) State Agencies
 - Washington State Department of Fish and Wildlife (1)

3. Summarize actions taken to encourage universities to utilize minority and women students to participate on highway research projects.

While WSDOT does not select the students to participate in the research projects, the Department requires universities to adhere to the nondiscrimination provisions of Title VI as a stipulation in task orders and contracts for research projects. The responsibility for selection of students lies with the Principal Investigator, primarily, at the Washington State University and the University of Washington.

All research contracts require compliance with Title VI. Each year the Research Office request the schools to furnish the number of protected group individuals who are associated with research activities funded by WSDOT and FHWA.

These organizations provide the Research Office with a breakdown of minority and women students participating in the federally funded research activities. The information is analyzed to determine level of participation of these groups and develop strategies to enhance minority and women participation when found that their level of participation is low. Please see *Attachment 5*.

Both, Washington State University (WSU) and the University of Washington (UW), have the Women Engineering Program and the Minority Engineering Program. There are also student chapters of National Society of Black Engineers, Society of Hispanic Professional Engineers, American Indian Science and Engineering Society, and the Society of Women Engineers.

The Department of Civil and Environmental Engineering use these to assist in the recruitment of students to work on the projects.

UW has an active Minority Science and Engineering Program (MSEP) to recruit nontraditional students into these fields. This is a funded program focused on supporting minority students. A full explanation of MSEP can be found at its website <http://www.engr.washington.edu/msep/index/html>. Additionally, the University of Washington College of Engineering has funded the Women in Science and Engineering (WISE) program (www.engr.washington.edu/wise) to fund women students and faculty for advancement in engineering. The University, in further attempt to increase the diversity of engineering graduates, participates in a program called “Engineering Coalition of Schools for Excellence in Education and Leadership” (ECSEEL) as well as the “ADVANCE” program dedicated to enhancing the progression of women in the upper ranks of the engineering professions.

Both Universities have campus wide programs in addition to the College of Engineering programs noted above. One of those efforts is related to persons of disability who have difficulty reading, hearing or speaking English. At UW this is the DO-IT program. Information on this program can be obtained at www.u.washington.edu/doit/.

4. Summarize actions taken to increase minority and women consultant firms in obtaining research projects.

There were no special actions taken to increase minority and women consultant firms in obtaining federally funded research projects from WSDOT during FY03. OEO will meet with Consultant Services on FY04 to discuss new ideas to enhance minority and women participation in research contracts.

5. List any significant actions planned for the ensuing year.

WSDOT’s Research Office plans to continue taking the following affirmative steps to encourage equal participation in our program area activities:

- encourage the universities to recruit and support minority students in the sciences and engineering programs. Solicitation letters to participate in the 2003-05 biennial research program were sent to NW institutions who have a likelihood of having minority students or who have a history of higher than average enrollments of protected group students.
- use of the Equal Employment Opportunity compliance review report for consultants.
- request universities and consultants to furnish data on number of protected group individuals working on WSDOT research to assess minority participation.

All of these strategies will be analyzed in FY04 to determine its effectiveness reaching out for minority and women students and consultants to enhance their participation in WSDOT federally funded research activities. Results will be reported in the WSDOT Title VI Update and Accomplishment Report, FY04 due on November 8, 2004.

6. List the Research Office staff by name, job title, race, and gender.

Classification	Race	Gender
Research Project Manager	Caucasian	Male
Research Project Manager	Caucasian	Male
Research Project Manager	Caucasian	Female
Secretary	Caucasian	Female
Research Project Manager	Caucasian	Male
Implementation Manager	Caucasian	Female
Director, Transportation Research	Caucasian	Female

C. Location

- 1. As a result of the choice of highway location, or the procedure used for arriving at the choice, were there any complaints filed?**

There were no complaints filed during the reporting period.

- 2. Identify the titles, ethnicity, and sex of employees working in the location program area. Were there any vacancies during the reporting period? What efforts were made by the Title VI Specialist/Coordinator to increase the representation of minorities and women if they are under-represented? What efforts are made to encourage adequate representation of minorities and women to serve as members on boards and councils involved in the development of transportation?**

The Design/Location Office had ten vacancies for the reporting period; six positions remain vacant. Recruitment for those positions will be conducted based on WSDOT's Affirmative Action policies and procedures to ensure equal participation in that process.

There are no boards or councils related to transportation development in WSDOT's location process under the Design Office, therefore, there have been no special efforts to encourage minority and women representation in such groups.

DESIGN/LOCATION STAFF

Job Class	Gender	Ethnic Title	WORKING TITLE
TECHNICAL WRITER	F	Caucasian	Professional Writer
ADM ASST 2	F	Native American	Administrative Assistant 2
WMS BAND 4	M	Caucasian	Deputy State Engineer

DESIGN/LOCATION STAFF

Job Class	Gender	Ethnic Title	WORKING TITLE
OFFICE ASST SR	F	Caucasian	Secretary Senior
WMS BAND 4	M	Caucasian	Project Development Eng.
SECRETARY SR	F	Caucasian	Secretary Senior
SECRETARY SR	F	Caucasian	Secretary Senior
TRANSP ENG 4	M	Caucasian	Design Liaison Eng.
TRANSP ENG 4	F	Caucasian	Plans Liaison
TRANSP ENG 3	M	Caucasian	Support System Eng.
TRANSP TECH ENG 5	M	Caucasian	OSC Support Systems & Ready Supervisor
TRANSP ENG 4	M	Caucasian	Plans Liaison
INFO TECH S S 2	F	Caucasian	Information Tech S S 2
WMS BAND 3	M	Native American	Assistant State Eng.
TRANSP ENG 2	F	Caucasian	Supervising System Specialist
WMS BAND 3	M	Caucasian	Assistant State Design Eng.
SECRETARY SR	F	Caucasian	Secretary Senior
TRANSP ENG 4	M	Caucasian	R/W Plans Review Eng.
WMS BAND 3	M	Caucasian	Assistant State Design Eng.
WMS BAND 3	M	Caucasian	Assistant State Eng.
TRANSP TECH 3	M	Caucasian	Drafter
TRANSP ENG 2	M	Caucasian	Plans Reviewer
WMS BAND 3	M	Caucasian	Right of Way Plans Eng.
TRANSP ENG 4	M	Caucasian	Plans Review Eng.
TRANSP TECH 2	F	Caucasian	Draftsman
TRANSP ENG 4	M	Caucasian	Geometric Eng.
TRANSP ENG 3	M	Caucasian	Design Standards Manager
TRANSP ENG 4	M	Caucasian	Design Specialist
PUB SPEC	F	Native American	Publications Specialist
TRANSP ENG 2	F	Caucasian	Design Graphics Specialist
WMS BAND 2	M	Caucasian	Assistant Policy & Standards Eng. & Roadside Safety Research Manager
TRANSP TECH 2	F	Caucasian	Draftsman
TRANSP ENG 4	F	Caucasian	CAE Support Eng.
TRANSP ENG 5	M	Caucasian	Policy Research & Publications Eng.
TRANSP ENG 4	M	Caucasian	Safety Policy Specialist
TRANSP TECH ENG 5	M	Caucasian	Assistant CAE Manager
TRANSP ENG 2	M	Caucasian	Design Graphics Specialist
WMS BAND 2	F	Caucasian	Cost Risk Estimating Manager
TRANSP ENG 4	F	Caucasian	Cost Risk Assessment Eng.
TRANSP ENG 4	M	Caucasian	Project Development Trainer/Instructor
WMS BAND 3	F	Caucasian	Quality Consultant

DESIGN/LOCATION STAFF

Job Class	Gender	Ethnic Title	WORKING TITLE
TRANSP ENG 4	M	Asian American\Pacific Islander	Cost Risk Estimates & Management Tech Eng.
INFO TEC APP S 5	F	Caucasian	PDIS System Administrator
TRANSP ENG 4	M	Caucasian	Project Development Trainer/Instructor
TRAN PLAN SPEC 3	F	Caucasian	Materials Inspector
TRAN PLAN SPEC 2	M	Caucasian	Roadside Design Specialist
WMS BAND 2	M	Caucasian	Roadside Manager
TRANSP ENG 3	M	Caucasian	Transportation Eng. 3
TRANSP ENG 4	M	Caucasian	Safety Research Eng.
TRANSP ENG 4	F	Hispanic	Hydraulic Designer
TRANSP ENG 4	F	Asian American\Pacific Islander	Hydraulic Designer
TRANSP SUPV ENG	M	Caucasian	Hydraulics Section Supervisor
TRANSP ENG 1	F	Caucasian	Hydraulic Designer
TRANSP ENG 4	M	Caucasian	Agreement Eng. Review Expert
TRANSP ENG 5	M	Caucasian	Railroad Agreement Eng.
TRANSP ENG 4	M	Caucasian	Hydraulic Designer
CONTRACTS SPEC 3	M	Caucasian	Senior Contract Specialist
TRANSP TECH ENG 5	F	Caucasian	Access & Hearings Eng.
TRANSP ENG 4	M	Caucasian	Design Imaging Eng.
TRANSP ENG 4	M	Caucasian	CAE Support Eng.
TRANSP ENG 3	M	Caucasian	Assistant CAW Eng. & PDL Support Eng.
TRANSP ENG 4	M	Caucasian	Design Imaging Eng.
TRANSP ENG 4	F	Caucasian	CAE Support Eng.
TRANSP ENG 4	M	Caucasian	Surveying Support Eng.
TRANSP ENG 3	M	Caucasian	Assistant CADD Support Eng.
TRANSP ENG 4	M	Caucasian	NO CQ FOUND FOR JOB#
TRANSP TECH ENG 5	M	Caucasian	Assistant CAE Manager
SECRETARY SR	F	Caucasian	CAE Secretary
WMS BAND 3	M	Caucasian	CAE Manager
TRANSP ENG 3	M	Caucasian	Design Imaging Eng.
TRANSP ENG 3	M	Caucasian	Assistant Design Imaging Eng.
TRANSP ENG 4	M	Caucasian	Plans Reviewer Eng.
WARSE WORKER 1	F	Caucasian	Warehouse Worker 1
OFFICE ASST	F	Caucasian	Bindery Worker II
WMS BAND 1	F	Caucasian	Printing Services Manager
FISCAL TECH	F	Caucasian	Fiscal Technician
OFFSET DUP OPR 2	M	Caucasian	Offset Dup. Operator 2

DESIGN/LOCATION STAFF

Job Class	Gender	Ethnic Title	WORKING TITLE
OFFSET DUP OPR 2	M	Caucasian	Offset Dup. Operator 2
OFFSET DUP OPR 2	M	Hispanic	Docutech Operator
REPRO SUPV 1	M	Caucasian	Offset Supervisor
OFFSET DUP OPR 2	M	Caucasian	Offset Dup. Operator 2
OFFICE ASST SR	F	Caucasian	Printing Services Receptionist
OFFSET DUP OPR 2	M	African American	Offset Dup. Operator 2
OFF SUPP SUPV 2	F	Caucasian	Unit Supervisor
PHOTOG TECH 2	M	Caucasian	Photography Technician 2
OFF MACH OPR	M	Caucasian	Implementation Planning Eng.

- 3. During the reporting period, how many Environmental Impact Statements (EIS) were reviewed? Summarize comments provided on EIS' where minority, disabled, elderly, etc., communities were adversely impacted.**

Federal Highway Administration, WSDOT and local agencies are currently working on 47 environmental assessments (EAs) and environmental impact statements (EISs) across the state. Seven final environmental impact statements (FEIS) were issued in the last fiscal year, however, only the following having completed the NEPA process culminating with issuance of a record of decision (ROD):

SR 509 Corridor Completion/I-5/South Access Road FEIS, January 2003 – Moderate to moderately severe impacts to community cohesion on minority and low income community members were identified. Impacts are to be mitigated through construction of new access connection to preserve and improve access to residents.

I-405 Corridor Program FEIS, June, 2002 – The action alternatives, including the Preferred Alternative, could have substantial locally or regionally impacts to minority and low income populations, but none that would require mitigation different in degree or kind than that which is proposed for displacements, traffic, noise, visual quality, and land use to help reduce overall impacts to neighborhoods.

Vancouver Rail Project FEIS, May 2003 – None of the alternatives are anticipated to have impacts on low-income or minority populations.

- 4. How many public hearings were held during the reporting period concerning location of a project? How were the hearings advertised and was it adequate to provide notification to minorities?**

Of the 6 public hearings held during the reporting period, two hearings were related to the location of a project.

The hearings were advertised through a variety of media forms such as newspapers, interest list notification, local agencies such as community based organizations, and local news media (radio, television). Minority oriented media is utilized when affected minority populations are identified.

5. How were minority leaders identified and encouraged to provide suggestions and ask questions about location of highways?

When appropriate, minority leaders are identified through minority community based organizations, ethnic churches, clubs and other similar institutions to assist in promoting active and meaningful participation of minorities, low income and female community member in WSDOT project-related public meeting.

These minority community leaders are encouraged to assist with language issues and promoting the participation of the groups they represent in public hearings related to the location of highways. They are also asked to encourage community members' input on potential disproportionate adverse impact on their communities resulting from WSDOT proposed projects.

6. During the reporting period, was there a need to utilize bilingual advertisements, announcements, notices, etc.?

During the reporting period there were a number of opportunities in which hearing information was made available in other languages. Please see *Attachment 6*.

D. Design

1. Were any public hearings held during the design phase of any highway? Did minorities (groups and organizations) participate in the hearings? If no, why not? Provide a summary of concerns and issues raised, if any. Describe actions taken by the Title VI Specialist/Coordinator to facilitate and/or address the concerns raised.

Two of the six public hearings held during this reporting period dealt with design. Although minority groups and individuals are always encouraged to participate in the hearings through our outreach program, there is no method in place that would accurately record the exact number of minority, women and low-income community members attending our public involvement meetings. Title VI forms were used but as previously discussed, there is very little support to this information gathering process from the public. There will be quarterly meetings with all Title VI Liaisons during FY04 to explore new ideas to gather statistical data on our public hearing attendees at all levels of the public consultation process.

There were no concerns raised by community members during the aforementioned hearings.

Complete transcripts of the hearings and hearing summaries are available at WSDOT for review. Please see *Attachment 7*.

2. **List the employees in the Design Program area by title, ethnicity, and sex. Where minority and female representation is low, what efforts are made to increase their representation?**

(Please refer to Section C.2 - Location.)

3. **Were there any complaints filed in the Design Program area? If so, provide summary with basis, status actions proposed, and actions taken.**

There were no complaints filed in the Design Program area during the reporting period.

4. **List any significant problem areas, accomplishments, and actions to take during the ensuing year.**

No significant problem areas were identified during the reporting period. We continue to ask hearing attendees to voluntarily fill WSDOT's Title VI Compliance Statement. The information is gathered for every project and forwarded to OEO for analysis and record keeping.

We have also incorporated in our meeting scripts information explaining the Title VI data collection process for meeting attendees. OEO has discovered that the information gathered during public hearings is not accurate data because many members of the public still don't feel comfortable sharing personal information such as their race, color or national origin with the "government". Efforts have been made to explain to the public the purpose of referenced information gathering, but WSDOT has not experienced any significant increase in the number of individuals using the voluntary Title VI identification form (Title VI Compliance Statement) over the last two reporting periods. The Title VI Coordinator is analyzing the possibility of using other methods to collect data on public hearing participants.

E. Right of Way

1. **During the reporting period, did the state receive any civil rights complaints in the following right-of-way functional areas: public involvement, relocation, and condemnation acquisition.**

The Real Estates Services Office is not aware of any civil rights complaints filed.

2. **How many appraisers were utilized during the reporting period? How many are minority and women? If the representation of minority and women appraisers is low, what efforts were made by the Title VI Specialist/Coordinator to increase their representation?**

During the reporting period 17 different appraisers were used under 20 contracts. Of the 17 appraisers, none were minority or women.

WSDOT has an approved appraiser list that is updated annually. A copy of this list is included with this report. In order to be eligible for the list, a person must be a certified/licensed appraiser in the State of Washington. The listing of all certified/licensed appraisers is obtained annually from the Department of Licensing. A notice is mailed to all persons on the Department of Licensing list.

This notice solicits interest and identifies the minimum qualifications for placement on the WSDOT approved list. Please see *Attachment 8*.

WSDOT currently has about 180 appraisers on the approved list. Of these, only 6 are certified with OMWBE, plus another 9 are women who are not certified with OMWBE. The majority are located in King County; one is in Oregon; and one is in Virginia.

There were zero contracts let in King County using our approved appraiser list. However, it is noted that the NW Region office uses a different method for contracting for appraisal services. The Department of General Administration is the agency that typically provides contracting services for the NW Region. That agency let four contracts on WSDOT's behalf during the reporting period, with one going to a woman.

Contracts are made available to local appraisers as a matter of common business practice. This is done because the local appraisers are usually more familiar with the local market. Also, property owners are more comfortable with the determination a local appraiser makes regarding their property values.

3. How many negotiations were made during the reporting period? Does the negotiator's log reflect any disparity in the negotiations between minorities and non-minorities?

WSDOT entered into approximately 400 acquisitions during the reporting period. No disparities were noted on any of them.

4. Were there any concerns raised by minorities or women concerning their options in the negotiation phase? Explain.

No concerns were reported by minorities or women.

5. Number of relocations during the reporting period.

Businesses	22
Residential Owners	18
Residential Tenants	20
Personal Property Only	<u>17</u>
Total Relocations	77

No. of minority relocations broken down by race:

Native American/Alaska Native	2
Hispanic American	3
African American	1

No. of Female Head of Household relocations 12

No. of Elderly Relocations 2

6. Were any concerns raised by minorities or women on replacement housing, referral housing, or advisory services?

No concerns were raised by minorities or women regarding replacement housing, referral housing or advisory services.

7. Were minorities and women given an opportunity to obtain contracts awarded for providing relocation assistance? If so, how many?

No contracts were let for relocation assistance. This function has always been performed by State staff. It is noted that the HQ staff is comprised totally of women as of the date of this report.

8. What special efforts have we made to comply with Title VI regulations?

Although none of the people with whom we contracted were minorities or women, quite often the Region and Headquarters offices will contact minority and women appraisers by telephone or via email to ascertain their interest in submitting a proposal for specific jobs. A copy of a recent request for proposal sent to a minority firm is attached to this report. Please see *Attachment 9*.

The Title VI Coordinator will discuss with the Title VI Liaison for Right of Way to explore the possibility of keeping a log for telephone and other types of contacts to minority and women appraisers to invite them to participate in WSDOT fee appraisals.

In addition, some of the fee appraisers to whom contracts were awarded often rely on minority or women on their staff to provide assistance in the appraisal. In many instances, WSDOT Review Appraisers meet these minority and women appraisers during the appraisal process. This suggests that there are a number of minorities and women who are in training and may one day be able to submit proposals for their own contracting.

9. Staff profile by name, job title, race, and gender.

Title	Gender/ethnicity
Director, Real Estate Services	Male/C
Deputy Director, Real Estate Services	Female/C
Assistant Director, Appraisal & Appraisal Review Program	Female/C
Assistant Director, Relocation Assistance Program	Female/C
Assistant Director, Property Management Program	Female/C
Assistant Director, Title and Condemnation Program	Male/C
Assistant Director, Urban Corridors Office	Male/C
Assistant Director, Special Acquisitions/Project Coordination	Male/C
Wireless Lease Coordinator	Male/C
Utilities Engineer	Male/C

Utilities	Male/C
Administrative Ass.	Female/C
Title Program Asst.	Female/C
Financial Analyst	Female/C
Review Appraiser	Female/C
Property Management, Lease Administrator	Female/C
Relocation Assistance Agent	Female/C
Review Appraiser	Male/C
Review Appraiser	Male/C
Review Appraiser	Male/C
Review Appraiser	Male/C
Senior Title Examiner, Condemnation	Male/C
Senior Title Examiner	Male/C
Special Acquisition Agent	Male/C
Airspace Lease Specialist	Male/C
Disposal Manager	Male/C
Title Examiner	Female/C
Special Acquisitions	Female/C
Appraiser	Male/C
Appraiser	Male/C
Title Examiner	Male/C
Property Management Agent, Disposals	Male/C
Property Management Agent, Leasing	Male/C
Property Management Agent	Male/C
Relocation Assistance Agent	Female/C

F. Construction and Maintenance

- 1. Has the state received any civil rights complaints involving their competitive bidding procedures? What corrective action, if any was needed, has the state taken? (Provide summary of any concerns raised by D/M/WBEs concerning licensing, pre-qualifications, lack of sub-contracting opportunities, etc.)**

There were no Title VI complaints involving WSDOT's competitive bidding process during the reporting period.

- 2. Summarize efforts made by the Title VI Coordinator to encourage the use of minority individuals, firms, or agencies to obtain maintenance agreements or contracts.**

No special efforts were made by the Title VI Coordinator to encourage the use of minority individuals, firms or agencies to obtain maintenance agreements or contracts during the reporting period.

- 3. During the review period, were any procedures reviewed to assure subcontract agreements, first and second tier, and material supply and equipment lease agreements contained in Title VI contract provisions?**

There were no reviews of procedures related to subcontracts or lease agreements during the reporting period. However, nondiscrimination language is being incorporated in all construction contracts to ensure nondiscrimination in all of WSDOT's contracts and agreements.

4. List any significant accomplishments and/or action items for the ensuing year.

Please refer to the response to question #2.

CONSTRUCTION OFFICE STAFF

Classification	Race	Gender
Construction Administration Support	Caucasian	M
Assistant Construction Engineer, Admin.	Caucasian	M
State Construction Engineer	Caucasian	M
Documentation Engineer	Caucasian	M
Secretary Supervisor	Caucasian	F
Assistant Construction Engineer, Roadway	Caucasian	M
Assistant Construction Engineer, Roadway	Caucasian	M
Assistant Construction Engineer, Bridge	Caucasian	M
Construction Engineer, Administration	Caucasian	M
Assistant Construction Engineer, Roadway	Caucasian	M
Specifications Engineer	Caucasian	M
Assistant Construction Engineer, Bridge	Caucasian	M
Construction Engineer, Bridge	Caucasian	M
Construction Engineer, Roadway	Caucasian	M
Office Assistant Senior	Caucasian	F

G. Education and Training

1. During the reporting period, what efforts were made to encourage participation by minorities and women in National Highway Institute (NHI's) educational and training program?

No special Department-wide efforts were made to encourage women or minority participation in NHI training. However, decisions on selection to attend training are made by individual supervisors after referring to recommendations on priority contained in the individual's Training Matrix.

2. List the types of NHI sponsored or co-sponsored programs. How many state participants? How many minorities and women? Status of completion.

WSDOT is an active participant in courses offered through the National Highway Institute subsidized by FHWA.
During FY 2003, WSDOT employees attended two NHI training sessions as follows

COURSE TITLE	DATE	COURSE CODE
NHI: ITS-Telecommunications Overview (137005)	2/5/03	CIH 1102
NHI: ITS-Introduction to Systems Engineering (137024A)	6/3-4/03	CB6 1103

Attendance Summary

FY	No. of Classes	No. of Attendees	No. of women		No. of Minorities	
2003	2	60	5	8%	7	11%

Please see *Attachment 10*.

3. Identify WSDOT's staff personnel responsible for training by job title, ethnicity and sex.

The attached list presents the Training Point of Contact (POC) for WSDOT including OEO Title VII and Title VI Trainers.

Personnel/Administrative Officers		
Classification	Race	Gender
Administrative Officer	Caucasian	M
Director of Org Strategy & HR Dev	Caucasian	M
Training Manager (WSF)	Caucasian	M
Administrative Officer	African-American	M
Regional Human Resources Manager	African-American	M
HRC3 – Training Coordinator	Caucasian	F
Regional Administrative Officer	Caucasian	F
Administrative Officer	Caucasian	F
Administrative Officer	Caucasian	M
Human Resources Consultant 1 (T2 Center)	Caucasian	F
HRCA (T2 Center)	Caucasian	F
OEO Trainer	African-American	F
Training Coordinator	Caucasian	F
Maint Trainer	Caucasian	M
Construction Trainer	Caucasian	M
Construction Trainer	Caucasian	M

Personnel/Administrative Officers		
Classification	Race	Gender
Safety Trainer	Caucasian	M
Safety Trainer	Caucasian	F
CAE Trainer	Caucasian	M
Driver's Trainer/IRT	Caucasian	M
Design Trainer	Caucasian	M
Purchasing Trainer	Caucasian	F
Communications Trainer	Caucasian	F
Financial Svcs Trainer	Asian	M
CAE Trainer	Caucasian	M
Construction Trainer	American-Indian	M
Maint Trainer	American-Indian	M
HRCA	Caucasian	F
CADD Trainer	Caucasian	F
CaiCE Trainer	Caucasian	M
Construction Trainer	Caucasian	M
Design Trainer	Caucasian	M
Maint Trainer	Caucasian	M
Safety Trainer	Caucasian	M
Design Trainer	Caucasian	M
Construction Trainer	Caucasian	M
Safety Trainer	Hispanic	M
Maint Trainer	Caucasian	M
IT Trainer	Korean	M
Construction Trainer	Caucasian	F
Safety & Health Trainer	American-Indian	M
Development Trainer	Caucasian	M
Maint Trainer	Caucasian	M
Construction Trainer Coordinator	Caucasian	F
Design Trainer	Caucasian	M
Design Trainer Coordinator	Caucasian	F
Design/Hydraulic Trainer	Mexican	F
Env Training Coordinator	Caucasian	F
Env Trainer	Caucasian	M

Personnel/Administrative Officers		
Classification	Race	Gender
Env Trainer	Caucasian	M
Env Trainer	Caucasian	F
Survey Trainer & Support	Caucasian	M
Traffic Trainer	American-Indian	M
Traffic Trainer	Caucasian	M
GPS Trainer	Caucasian	M
HRCA2	Hispanic	F
HRCA	Caucasian	F
HRCA	Caucasian	F
HRC3, OEO	Caucasian	F
HRC3, OEO	Caucasian	F
HRC3, OEO	African-American	M
HRC3, OEO	Hispanic	M
HRC3, OEO	Caucasian	F
HRC3, OEO	African-American	F
HRC3, OEO	African-American	F
HRC3, OEO	Hispanic	M

Training Personnel Staff Development		
Classification	Race	Gender
Human Resources Development Spec 5	Caucasian	M
Human Resources Consultant 4	Caucasian	M
Information Technology Specialist 4	American-Indian	M
Administrative Assistant	Caucasian	F
Human Resources Consultant Assistant	Caucasian	F
Human Resources Consultant 1	Caucasian	M
Human Resources Consultant Assistant	Caucasian	F

4. **Were there any civil rights complaints filed concerning training and educational opportunities? If so, what corrective actions has the state taken? Provide summary of concerns raised, complaints filed, status, etc.**

No civil rights complaints regarding training have been filed during the reporting period.

H. Administration

1. **Provide a list of employees by ethnicity, sex and title in each of the Title VI program areas.**

Every program area described in this report has included a breakdown on their staff composition by name, job title, ethnicity, and gender.

2. **Summarize all activities undertaken during the reporting period, which provided for assurances of Title VI compliance with contractors and by contractors (i.e., are Title VI requirements included in all contracts and consultant agreements, were reviews made to ensure contractors and consultants are adhering to Title VI requirements, are contractors and/or consultants appraised of Title VI implication and issues, etc.)**

The Consultant Services Office will continue conducting meetings with all of WSDOT's consultants to assure compliance with their Title VI contractual responsibilities. OEO's Regional HRC3s will continue assisting the Title VI Coordinator in assessing Title VI compliance among the Department's subrecipients across the state and helping to address issues related to LEP and EJ. There were no reviews conducted to ensure contractors adhere to Title VI requirements. All consultant agreements contain Title VI Nondiscrimination language.

3. **Was any Title VI training provided during the reporting period. If so, how many participants attended, titles, etc.? Was any other kind of civil rights training conducted? If so, what type of training (courses content)? Provide a list of participants by job title (i.e. supervisor, manager, etc.)**

On November 4-8, 2003, FHWA conducted a Basic Civil Rights Training Course covering compliance aspects for all External Civil Rights Programs (DBE, EEO, OJT, Title VI & ADA). Willie Harris, Director of Civil Rights, Western Resource Center; Jodi Peterson, Civil Rights Manager, FHWA, Washington Division and Teresa Banks, FHWA-OCR, Washington DC were the presenters for this session. WSDOT's staff from OEO, Construction, Highway and Local Programs and Regional Offices attended this four-day session. Individuals from local agencies also attended the training.

OEO's Internal Civil Rights Branch conducted close to 100 Diversity training sessions to WSDOT managers and employees across the state, including WSF. As a result of this training close to 33% of the workforce in the agency received Diversity Training in at least one of the three training modules for that training subject. Please see *Attachment 11*.

I. Consultant Services

A. Planning

1. How many consultant projects for planning were awarded during the reporting period? Dollar value?

There were 12 new consultant agreements awarded in the amount of \$773,725.00, 14 supplements executed in the amount of \$413,945.00, 1 new task order in the amount of \$14,925.00 and there were 3 task order amendments in the amount of \$116,658.00.

2. What efforts were made to utilize minority and female consultants and sub-consultants?

DBE project goals are established on consultant projects with Federal assistance utilizing the "Disadvantaged Business Enterprise Program Plan." Advertisements were placed in minority-oriented publications when deemed appropriate.

B. Design

1. How many consultant firms currently have design contracts? Dollar value? How many contracts are currently held by minority firms and women owned firms? Dollar value?

The Department does implement a DBE goal for each contract with Federal assistance, and during the advertisement process, we encourage D/M/WBE firms to apply.

There were 14 new consultant agreements awarded in the amount of \$5,964,443.00, 78 supplements executed in the amount of \$9,449,074.00, 63 new task orders in the amount of \$9,392,888.00 and 53 task order amendments in the amount of \$3,054,296.00. There were 40 firms total who were awarded the above agreements, supplements, task orders, and task order amendments. Of those 40 firms, 2 were DBE certified in the amount of \$42,075.00 and 1 was MBE certified in the amount of \$13,100.00.

2. What efforts were made to increase minority and female participation in obtaining consultant contracts? Is there currently a separate list maintained on minority and woman consultants? How many firms are included on the list? How many are receiving contracts?

A listing of minority and woman owned business is maintained in conjunction with The Office of Minority and Woman Business Enterprises (OMWBE). The Department does not maintain a separate list. Please refer to OMWBE's website at www.omwbe.wa.gov.

We continue to explore other alternatives to improve participation by D/M/WBE firms. For the 2003 – 2005 Annual Rosters, we have split the dollar limitation for each category advertised to create fair and reasonable arenas for competition. We have established thresholds for each category of either \$350k above and below. Firms may submit Statements of Qualification for either dollar limitation, but not both. The intent is that the larger firms will submit for the larger dollar threshold and the smaller firms will submit for the smaller dollar threshold thus creating competition among like firms vs. the large firms against the small firms. We have also changed our selection process from selecting firms on an as-needed-basis to all firms that score within 80% of the top scoring firm for that category gets a contract. This is the first year WSDOT has used the 80% selection process, but feedback from the consultants is very positive.

Short-Term

- WSDOT Consultant Service Center is continuing with the development and implementation of its new database program to better track D/M/WBE participation. We are currently using the program and continue to refine it to meet the agency's needs.

Long-Term

- Continue to promote Training/Networking opportunities by participation in various outreach programs;
- American Consulting Engineers Council (ACEC) of Washington and WSDOT will continue to promote and encourage engineering career paths for women and minority students; actively recruit and mentor women and minority graduate engineers; and
- Continue exploring new strategies to improve participation by D/M/WBEs.

C. Administration

a. Summarize all activities undertaken during the reporting period, which provided for assurance of Title VI compliance with contractors and by contractors (i.e., are Title VI requirements included in all contracts and consultant agreements, were reviews made to ensure contractors and consultants are adhering to Title VI requirements, are contractors and/or consultants appraised of Title VI implication and issues, etc.)

The Consultant Services Office posted its consultant agreements in its website showing the incorporation of the required Title VI nondiscrimination provisions (See attached sample contract with Title VI Assurances language exhibit 'F.'). No Title VI compliance reviews were conducted on consultants during the reporting period. WSDOT is considering scheduling these types of compliance reviews in the near future. Please see *Attachment 12*.

b. How many consultants currently have contracts involving project development activities? Dollar value? How many minority consultants currently have contracts involving location activities? Dollar value? Where minorities and women participation on consultant contracts is low, describe efforts taken to increase their participation.

During the reporting period, there were 54 Professional Services Contracts worth \$6,263,908. Out of those 54 contracts, 6 (9%) were subcontracts to DBEs, worth \$296,186 (.05%). Please see attached report of all executed agreements, supplements and tasks for FY02. 11 minority firms participated in the aforementioned subcontracts. The report does not show contracts by program area. Next year's report will provide that type of information as we continue improving BizTrak reporting.

A listing of minority and women owned businesses is maintained by the Washington State Office of Minority and Woman Business Enterprises. The Department does not maintain a separate list. We continue to explore other alternatives to improve participation by D/M/WBE firms.

For the calendar year 2003, we have split the dollar limitation for each category advertised to create fair and reasonable arenas for competition.

We have established thresholds for each category of either \$350K above or below. Firms may submit Statements of Qualification for either dollar limitation, but not both. The intent is that the larger firms will submit for the larger dollar threshold and the smaller firms will submit for the smaller dollar threshold thus creating competition among like firms vs. the large firms against the small firms.

CONSULTANT SERVICES OFFICE (CSO) STAFF

Title	Race	Gender
Director of CSO	C	M
Deputy Director of CSO	C	M
CSO Consultant Liaison	C	F
CSO Consultant Liaison	C	M
Secretary	C	F

ANNUAL WORK PLAN FOR FY04

1. Publish the Title VI Chapter on WSDOT's LAG Manual. This will take place by spring 2004.
2. Initiate LAG Manual Title VI Training series for local agencies through T-2 Center. This is projected to take place in spring 2004.
3. Continue reviewing Environmental Impact Statements (EIS) to ensure compliance with Title VI and Executive Order 12898 on Environmental Justice. This will take place throughout FY04.
4. Coordinate efforts with the Communications, Transportation Planning, Environmental Services Offices, WSF and others to develop a WSDOT Limited English Proficiency (LEP) Implementation Plan. This effort will begin in January 2004.
5. Continue meeting with subrecipients' Title VI Coordinators every six months to exchange program information, best practices, court cases and new legal doctrines in the area of Title VI compliance for federal-aid highway programs and activities. Meetings will take place in June and December of 2004.
6. Revise the existing Title VI Update Report Questionnaire to update its reporting elements, incorporate Washington State Ferries Title VI compliance information and to include LEP and EJ components where appropriate. This will take place early spring 2004.
7. Conduct quarterly meetings with Special Emphasis Program Area Title VI Liaisons to monitor program implementation, receive feedback and provide training and technical assistance to them on the newly revised Title VI Update Report Questionnaire. This will take place early spring 2004.
8. Continue addressing Title VI complaints either through formal investigations or early resolution. This will take place throughout FY04.
9. Revise Title VI Plan and submit to FHWA for approval. This will be accomplished by November 8, 2004
10. Annual Accomplishment Report for FY04. This will take place by November 8, 2004.
11. Establish work plan for FY2004. This will be accomplished by November 8, 2004.